



Z-15-07-002

**City of Greensboro Planning Department
Zoning Staff Report and Plan Amendment Evaluation**

Zoning Commission Hearing Date: July 13, 2015

GENERAL INFORMATION

APPLICANT	Marc Isaacson on behalf of Howard Street Tank LLC
HEARING TYPE	Rezoning Request
REQUEST	LI (Light Industrial), RM-18 (Residential Multifamily) and C-M (Commercial-Medium) to CD-C-M (Conditional District-Commercial-Medium)
CONDITIONS	<ol style="list-style-type: none">1. All uses permitted in the C-M district are allowed except group living, animal shelters, colleges and universities, retreat centers, specialty hospitals, bus and rail terminals, all social service facilities, movie and other theatres, shooting ranges, amusement and water parks, fairgrounds, campgrounds and RV parks, hotels and motels, single room occupancy residences, any establishment with a drive-through facility, funeral homes and crematoriums, taxi dispatch terminals, taxidermists, ABC (liquor) store, outdoor advertising services, pawnshops, sexually oriented businesses, self storage facilities, vehicle sales and service establishments, automobile towing and storage services, car washes, equipment repairs and rental, laundry and dry cleaning plants, pest and termite control services, printing and publishing, wholesale trade, warehousing, storage and freight handling, carnivals and fairs, conventions, trade shows, and outdoor retail sales.2. All buildings will be limited to 4,000 square feet.3. All on-site pole lighting will be limited to 20 feet in height.4. The owner of tax parcels 16680 (2417 Spring Garden Street) and 06681 (2415 Spring Garden Street) will record an instrument of combination for such parcels upon final plat approval of this rezoning request.
LOCATION	2415 & 2417 Spring Garden Street
PARCEL ID NUMBER(S)	7854337125 & 7854336120
PUBLIC NOTIFICATION	The notification area for this public hearing was 600 feet (Chapter 30-4-1.4 of the Land Development Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). 85 notices were mailed to those property owners in the mailing area.
TRACT SIZE	~0.45 Acres
TOPOGRAPHY	Primarily flat
VEGETATION	None

SITE DATA

Existing Use

Single family dwelling and a restaurant without a drive-thru

Adjacent Zoning

Adjacent Land Uses

N C-M (Commercial-Medium)

Retail sales and service

E RM-18 (Residential Multifamily)

Multifamily and single family dwellings

W C-M (Commercial-Medium)
RM-18 (Residential Multifamily)

Restaurant without a drive-thru facility
Multifamily dwellings

S LI (light Industrial)

Undeveloped

Zoning History

Case # Date

Request Summary

N/A N/A

The subject property (2417) has been zoned C-M (Commercial-Medium) since the adoption of the Land Development Ordinance July 1, 2010. Prior to implementation of the LDO the property was also zoned GB.

The subject property (2417) is also zoned LI (Light Industrial) and has been since the adoption of the Land Development Ordinance July 1, 2010. Prior to the implementation of the LDO the property was also zoned LI.

The subject property (2415) has been zoned RM-18 (Residential Multifamily) since the adoption of the Land Development Ordinance July 1, 2010. Prior to the implementation of the LDO the property was also zoned RM-18.

ZONING DISTRICT STANDARDS

Zoning District Designation:	Existing (C-M)	Existing (RM-18)	Existing (LI)	Requested (CD-C-M)
Max. Density:	N/A	A maximum of 18.0 units per acre.	N/A	N/A
Typical Uses	Primarily intended to accommodate a wide range of retail, service and office uses.	Primarily intended to accommodate multifamily and similar residential uses.	Primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development and related commercial/service activities which in their normal operations have little or no adverse	Primarily intended to accommodate a wide range of retail, service and office uses.

District Summary *

**These regulations may not reflect all requirements for all situations; see the City of Greensboro Development Ordinance for all applicable regulations for site requirements for this zoning district.*

SPECIAL INFORMATION

Overlay District Ordinance/Historic Preservation

Subject site is located within the Spring Garden Street Pedestrian Scale Overlay District. Consult the Spring Garden Street Pedestrian Scale Overlay Manual for detailed applicable requirements and design guidelines.

Environmental/Soils -

Water Supply Watershed Site drains to North Buffalo Creek, non-watersupply watershed

Floodplains N/A

Streams N/A

Other: If >1acre is disturbed and Built Upon Area is increased, site must meet current Phase 2 requirements. Water Quality and water quantity must be addressed

Utilities

Potable Water Available

Waste Water Available

Airport Noise Cone

n/a

Landscaping & Tree Preservation Requirements

Applicable in the event of expansion or new development

Transportation

Street Classification: Spring Garden Street – Minor Thoroughfare.
Howard Street – Local Street.

Site Access: All access(s) must be designed and constructed to the City of Greensboro standards.

Traffic Counts: Spring Garden Street ADT = 21,029 (GDOT, 2011).
Howard Street ADT = 930 (GDOT, 2011)

Trip Generation: N/A.

Sidewalks: Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. Sidewalk does exist along the Spring Garden Street frontage of this property.

Transit in Vicinity: Yes, GTA Route 1 (West Wendover Avenue) adjacent to subject site, along Spring Garden Street.

Traffic Impact Study: (TIS) No TIS required per TIS Ordinance.

Street Connectivity: N/A.

Other: N/A.

IMPACT ANALYSIS**Land Use Compatibility**

The proposed **CD-C-M (Conditional District-Commercial-Medium)** zoning would allow land uses that are compatible with the general character of the area.

Connections 2025 Comprehensive Plan Policies

The Future Land Use Map of the adopted Lindley Park Neighborhood Plan designates this location as **Neighborhood Commercial** and **Mixed Use Residential (3-5 d.u./acre)**. The requested **CD-C-M (Conditional District-Commercial, Medium)** zoning district is generally consistent with the **Neighborhood Commercial** and **Mixed Use Residential (3-5 d.u./acre)** GFLUM designations. The Growth Strategy Map designates the subject site as being within the **Patterson Street Reinvestment Corridor**.

Connections 2025 Written Policies

Land Use Goal 4.1 – Growth Strategy: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

Policy 4A: Remove present impediments to infill and investment in urban areas.

Policy 4B: Target capital investments to leverage private investment in urban areas.

Policy 4C: Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

Policy 4D: Identify potential opportunities and selectively target, plan and promote development/reuse initiatives.

Community Character, Goal 5.2 – Man-Made Environment: Preserve and enhance the character and visual quality of Greensboro's built environment, including historic resources, private developments, and public landscapes.

Policy 5E: Improve the aesthetic quality of publicly owned and maintained landscapes.

Policy 5F: Implement and improve design standards governing the appearance of development from public roadways.

Housing and Neighborhood, Goal 6: Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

Policy 6C: Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

Economic Development, Goal 7: Promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community, including under-served areas such as East Greensboro.

Policy 7A: Target city investment and regulatory policies for economic development.

Policy 7C: Ensure that city land use policies and regulations allow for an adequate supply of land to accommodate economic development.

Transportation, Goal 8: Develop and maintain a safe, efficient, and environmentally sound transportation system that provides convenient choices for accessing destinations throughout Greensboro and the Triad, including a range of well-integrated transit, pedestrian, and bicycle linkages.

Policy 8A: Maintain a roadway network that safely and efficiently accommodates vehicular traffic while supporting other community objectives defined in the Comprehensive Plan.

Connections 2025 Map Policies

Neighborhood Commercial (NC): This category provides small areas for offices, professional services, and shopfront retail uses that can be served by pedestrian access. Only low-intensity, neighborhood compatible uses are permitted in this classification. Ensuring that buildings are of appropriate scale and intensity is critical.

Mixed Use Residential (MUR): This category applies to areas where the predominant use is residential and where compatible local-serving nonresidential uses may be introduced. The Mixed Use Residential classification accommodates a diverse mix of housing types and densities, while ensuring that buildings are of appropriate scale and intensity.

Reinvestment Corridor: Reinvestment Areas and Corridors represent priority opportunities for combined public and private sector reinvestment and the application of policies described in Section 4.5.1 (Reinvestment/Infill). More specifically, Reinvestment Corridors are older commercial corridors that would benefit from significant public and private investment to enhance their economic viability and strengthen adjacent neighborhoods.

CONFORMITY WITH OTHER PLANS

City Plans

Sustainability Action Plan

Element 1) Transportation and Land Use:

Policy 1) Encourage increased density, a mix of land uses and more integrated links between transportation and land use through changes to Greensboro's Comprehensive Plan, Development Ordinance and other related plans.

Element 2) Green Jobs and Buildings:

Policy 3) Develop a coordinated City program to provide technical support, energy audits and education and outreach to increase energy efficiency and conservation in commercial and residential buildings.

Policy 4) Use a combination of code changes, incentives, partnerships and education to promote green building in Greensboro.

Policy 6) Promote more efficient use of water through education, partnerships and pilot projects.

Element 3) Waste Reduction and Recycling:

Policy 7) Employ a combination of expanded recycling infrastructure, regulations and incentives to increase Greensboro's solid waste diversion and recycling rates.

Element 6) Education and Outreach:

Policy 11) Provide technical support, awards and recognition to individuals and organizations furthering Greensboro's energy and sustainability efforts.

Lindley Park Neighborhood Plan

Element 1) LAND USE:

Policy 1) Define Boundaries Among Industrial and Other Nonresidential Land Uses.

Policy 2) Use Green Space to Define Land Use Boundaries.

Policy 4) Development of Neighborhood Commercial Nodes.

Element 2) HOUSING:

Policy 1) Maintain and Preserve the Quality of Existing Housing Stock.

Policy 2) Maintain and increase Owner-Occupied Residences.

Element 3) CONSERVATION AND BEAUTIFICATION:

Policy 1) Streetscaping and Appearance.

Element 5) TRAFFIC & TRANSPORTATION:

Policy 1) Speed, Volume and Accidents.

Policy 3) Pedestrian Accessibility Throughout the Neighborhood.

Element 6) BUILDING THE COMMUNITY:

Policy 1) Connections Among Diverse Stakeholders.

Other Plans
n/a

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

Applicant is strongly encouraged to discuss this proposed rezoning and development with owners of surrounding properties and with representatives of the Lindley Park neighborhood, within which the subject site is located.

Based on the proximity of the subject site to marked bicycle lanes on Spring Garden Street, long term safety and accessibility for users and employees at the subject site would be greatly enhanced by provision of secure, convenient bicycle parking.

The subject site is located within the area(s) eligible for the following economic development incentive or assistance program(s):

- Urban Development Investment Incentives (local).

Staff Analysis

This 0.45-acre subject site is currently a single family dwelling and a restaurant without drive through facilities primarily oriented towards the Lindley Park neighborhood. North and west of the request is zoned C-M (retail sales and services). South of the request transitions to LI (undeveloped property adjacent to a larger industrial facility). East of the request is zoned RM-18 (multifamily and single family dwellings).

The adopted Lindley Park Neighborhood Plan designates this site as Neighborhood Commercial and Mixed Use Residential, both of which speak to local serving non-residential uses that may be accessed through a variety of transportation means, but with emphasis on pedestrian and bicycle traffic. The subject property is also located within the Spring Garden Street Pedestrian Scale Overlay. The overlay establishes a maximum number of parking spaces for restaurants and other non-residential uses, requires additional screening of parking areas from Spring Garden Street, and denotes the need to provide safe pedestrian and bicycle connections that are clearly differentiated from vehicular areas.

The C-M district is primarily intended to accommodate a wide range of retail, service and office uses, and can include both local and more regional serving uses. This CD-C-M rezoning request, as conditioned, is generally consistent with the types of land uses located in close proximity. However, there is some concern the proposed request will be in conflict with the goals of the Spring Garden Street Pedestrian Scale Overlay and Lindley Park Neighborhood Plan and their emphasis on neighborhood oriented retail and services. Further staff is unable at this time to determine if the site can adequately address applicable codes and ordinances requirements in terms of parking, design, and accessibility, including limiting potential vehicle and pedestrian/bicycle conflicts given the dedicated bike lane currently along Spring Garden Street.

Staff Recommendation

Staff recommends **denial** of the requested **CD-RM-18** (Conditional District-Residential Multifamily) zoning district.